

Statement of Facts: Callahan

1. On December 16, 1988, Willie Evans was executed, and Ricky Evans wounded, in a shooting on Elm Hill Avenue, by Treas (Chili) Carter. Evans. Trial 6 at 221.

SCDA 0166-70; 0179.

2. Callahan was assigned to investigate the murder of Willie Evans and wounding of Ricky Evans. MNT Day 5 Callahan 228-229

3. On May 24, 1989, the grand jury heard evidence in the murder of Willie Evans. Ricky Evans testified. ----

4. Sometime in late May or early June, Callahan was assigned to the Moore murder investigation. Callahan did so by reviewing the investigatory file, and by seeking out witnesses. MNT Day 5 Callahan 233-236. Walsh Trial 8111-

5. Callahan spoke to Mary Alexander on May 31, 1989, and arranged for her to meet with Phil Beauschesme. Police Report 5/31/89.

BPDHOM 0634

6. Callahan spoke with Vantrell McPherson on June 10, 1989. McPherson stated that she observed Drumgold and Taylor in area earlier in evening walking, and said she was aware of a fight between Drumgold and Wayne Davis. She did not see Drumgold or Taylor after the shooting. BPDHOM 1871

7. In June, 1989, Callahan spoke to Ricky Evans, who told him that he had information regarding the Moore murder. Callahan brought Evans to the District Attorney's office to meet with Phil Beauschesme. Trial 6 at 248

8. On July 1, 1989, Callahan interviewed Olisa Graham. She told him that Drumgold was at 23 Sonoma Street, with others. She identified Gemini Hullum, Tynetta Gray, Michelle Payne, Edrina Payne, Antonio Anthony (Country), Mickey Graham and Terrence Taylor (Lug) as being present. This interview was recorded. BPDHOM 0730

9. On July 7, 1989, Callahan interviewed Vivian Miles. She said that on the night of the shooting, she saw Ricky Evans, Donna and Gloria Miles at 118 Elm Hill Avenue, and saw "Upi" Roisten on Humboldt. BPDHOM 1560

10. On August 6, 1989, Callahan contacted Ricky Evans on the telephone regarding the Willie Evans murder. During this conversation, Callahan asked Evans if he had any information about the Moore murder. Evans said that he did; that he had failed to mention this before because he was told that if he spoke about the murder, he would "end up dead." MNT Day 5 Callahan 234-236

11. On August 6, 1989, Callahan took a recorded statement from Ricky Evans. Evans said that he was present with Drumgold and Taylor before the shooting, and that both had guns. He stated that Drumgold and Taylor were in a white car, and that after the shooting they told him the guns had been disposed of in Franklin Hill park. Evans also said that he had heard from Keith Butler that Drumgold and Taylor were the shooters. BPDHOM 1383

12. On August 16, 1989, Callahan interviewed and recorded the statement of Eric Johnson. Johnston stated that he was present at the Moore shooting, saw a white jeep, saw the passengers get out and approach from Edison plant yard. Observed the clothing the shooters were wearing, and said

that one was bow legged. Johnson stated that he believed the bow legged man was Drumgold. BPDHOM 0496

13. On September 12, 1989, Ricky Evans called Callahan and said that at 11:00 p.m., a private investigator, Lawrence Fallon, came to his brother's house and asked to speak to Evans. Evans said that Fallon told him that it was best if he didn't testify, that it was not too late to choose not to testify, and that he did not have to testify. BPDHOM 1975

14. Callahan testified that he was concerned that Ricky Evans had been contacted at his brother's house, and decided to move him to a hotel pending the resolution of the Moore and Treas (Chili) Carter trials. MNT Day 5 Callahan 238-241

15. On September 18, 1989, the Carter trial was continued to October 1989. SCDA 0437, MNT Day 5 Callahan 238-241

16. On November 18, 1989, the trial date for *Carter* moved to 12/5/89. SCDA 0437

17. The Carter case brought forward suddenly for trial, and ultimately, Carter pled guilty. The ADA prosecuting the case, Paul Connolly, reported to Carter's attorney that Evans was available as a witness. Connolly Depo 1/5/07 60-61

18. Connolly wrote in a report to Laura Scherz, a District Attorney's Office victim witness advocate, that Evans had been in need of housing in connection with the *Carter* case and had been housed in a hotel. SCDA 0444.

19. At the motion for new trial hearing in 2003, Phil Beauschesme testified that he believed he was aware that Ricky Evans had been put up in a hotel pending trial. Beac. New Trial day 6, p. 148-149, 151

20. Callahan, in his meetings with Ricky Evans, said that he would bring Evans' cooperation to the attention of the District Attorney's office in connection with Evans' pending cases.

21. Evans testified at the original trial that he was taken to court to "clear up" his warrants. Trial, Day 6, p. 218 – 221.

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